

RECREATIONAL FISHING AND CRABBING
IN VIRGINIA TIDAL WATERS

Licensing Information

Any person desiring to take or catch finfish or shellfish for recreational purposes in the tidal waters of Virginia must first obtain the appropriate gear license (See Exemptions and Annual License Fees below). Gear licenses can be purchased from any Virginia Marine Resources Commission (VMRC) licensing agent, except that crab pound/trap licenses must be preauthorized from the district marine patrol officer. All licenses are valid for a calendar year and expire December 31 in the year issued. a [Code 28.2-225, 28.2-226.1, 28.2-234, 28.2-300, Regulation 4 VAC 20-60-20].
Any license to recreationally fish or crab shall be issued to an individual for his/her exclusive use and shall not be transferable. No person shall be issued more than one recreational gill net license, more than one recreational crab pound/trap license, no more than one recreational eel pot license [Code 28.2-226.1, Regulation 4 VAC 20-670-20].

EXEMPTIONS - The following activities are exempt from the licensing requirements:

- 1. Taking by dip net, hand line, or two crab pots as much as one bushel of hard crabs and two dozen peeler crabs in any one day for personal use aboard any vessel. If crabbing occurs from shore (crabs are not possessed on a vessel) the possession limit is one bushel and two dozen peeler crabs per person per day.
- 2. Taking a maximum of one bushel of oysters in any one day for personal use, when taken by hand or with ordinary tongs during the oyster season from open rocks.
- 3. Taking a maximum of 250 clams in any one day for personal use, when taken by hand or with ordinary tongs from open areas.
- 4. Using one tank or float no greater than 4 feet in width and 8 feet in length for shedding crabs for personal use.
- 5. Harvest of oysters or clams from a private lease by the leaseholder, or the person authorized or employed by a leaseholder. (Other no-cost permits may be required.)
- 6. Taking minnows, menhaden, or mullet for personal use as bait with a cast net; fish may not be sold, traded or bartered.
- 7. Taking, by hand, a maximum of 5 horseshoe crabs in any one day for personal use only. No harvesting allowed from any shore or tidal waters of Virginia, within 1000 feet in any direction, of the mean low water line, from May 1 through June 7.
References: [Code 28.2-226, 4 VAC 20-270-56, 4 VAC 20-670-20, 4 VAC 20-900-30].

Annual License Fees

For a recreational gill net up to 300 feet . . .	\$9.00	Recreational crab pound or trap . . . . .	\$6.00
For a recreational fish cast net . . . . .	\$10.00	Ordinary crab trot line up to 300 feet .....	\$10.00
For a recreational fish dip net. . . . .	\$7.00	Salt water recreational fishing license.....	\$12.50
For up to 2 recreational eel pots . . . . .	\$10.00	Salt water recreational boat fishing license...	\$38.50
		[4 VAC 20-670-30, 4 VAC 20-1090-30]	

Gear Restrictions

- Any person licensed to use a recreational gill net must stay within 100 yards of such net when it is overboard [4 VAC 20-670-30].
- In areas located upriver of lines defined in 4 VAC 20-430-45: recreational gill nets may not exceed 110 feet in length; both ends of a recerational gill net must be marked by a floating buoy of at least 3 1/2” in diameter and floats and buoys of the gill net must be painted blaze or flourescent orange; and must be removed from the water no longet than 1 hour after being set.
- It is unlawful for any person to use more than two crab pots recreationally, or more than two eel pots when licensed for recreational purposes [4 VAC 20-670-30].
- Any law or regulation applying to the setting or fishing of commercial gill nets, fish cast nets, fish dip nets, crab pots, crab pound/traps or crab trot lines shall also apply to such gear when set or fished for recreational purposes [4 VAC 20-670-30].
- It is unlawful for any person to place, set, or fish or knowingly leave any hard crab pot or peeler pot in any Virginia tidal waters from December 1 through March 16 [4 VAC 20-270-40].
- From May 1 to September 15, it is unlawful to set or fish any recreational crab pot in the Virginia Blue Crab Sanctuary [4 VAC 20-752-30].
- A recreational crab pot must have at least four unobstructed cull rings, one at least 2 5/16 inches inside diameter, another at least 2 3/16 inches inside diameter located one each in opposite exterior side panels of the upper chamber of the pot, and two at least 2 3/8 inches inside diameter cull rings located one each in opposite exterior side panels of the upper chamber of the pot; except the two 2 3/8 inches diameter ring are not required in pots set on seaside of Accomack & Northampton Counties [4 VAC 20-700-20].
- Each crab pound/trap must have at least four unobstructed cull rings of at least 1 1/2 inch inside diameter, located two each under water in the lower portion of two opposite side panels (perpendicular to the shoreline) of the retention box [4 VAC 20-460-50].
- Any person licensed to use a recreational crab trotline license (300' maximum) or a recreational crab pound/trap is now limited to one bushel hard crabs and two dozen peeler crabs in any one day for personal use [4 VAC 20-670-25].
- It is unlawful for any person to use any recreational gill net to catch and possess any species of fish that is regulated by an annual harvest quota (includes: black drum, black sea bass, bluefish, scup, speckled trout, striped bass, and summer flounder) [4 VAC 20-670-30].
- It is unlawful for any person using a recreational gill net, fish cast net, or fish dip net to take and possess more than the recreational possession limit for any species regulated by such a limit. When fishing from any boat, using recreationally licensed gear, the total possession limit shall be equal to the number of persons on board legally eligible to fish multiplied by the individual possession limit for the regulated species, and the captain or operator of the boat shall be responsible for adherence to the possession limit [4 VAC 20-670-30].
- It is unlawful for any person using a recreational gill net, fish cast net, or fish dip net to take and possess any fish which is less than the minimum size established for that species. When different size limits for commercial and recreational fishermen are

in effect for a species, the size limit applicable to recreational or hook & line fishermen shall apply to such species when taken by recreational gill nets, fish cast nets, or fish dip nets [4 VAC 20-670-30].

- It is unlawful for any person fishing from a boat or vessel to anchor, drift, troll, or otherwise fish within, or to cast into the prohibited fishing zone of any pound net which is marked by orange flags. It is also unlawful to take or harvest crabs from any part of a pound net marked by orange flags, unless such person has the written permission of the owner of the pound net. It is unlawful for any person to tamper with any flag marking the prohibited fishing zone of any pound net [4 VAC 20-20-35].
- It is unlawful for any person to tie, fasten, or secure any boat or vessel to any pole, stake, netting or any other part of a pound net or stake gill net, except during the normal lawful fishing of such nets by the licensee, his crew or agent [4 VAC 20-20-35].
- It is unlawful for any person to take, catch, or kill any fish with the use of a firearm [4 VAC 20-570-20].
- It is unlawful to capture or kill any fish, shellfish, or marine organisms by means of explosives, drugs, or poisons in any waters of the Commonwealth or in any waters under its jurisdiction [28.2-313].
- It is unlawful for any person to take or attempt to take any finfish by means of snagging [4 VAC 20-740-20].
- It is unlawful for any person to use any snatch hook, grab hook or gang hook for the purpose of taking or catching fish in the Rappahannock River below the Downing Bridge at Tappahannock between January 1 and March 15 [28.2-306].
- It is unlawful for any person to take or catch fish, shellfish, or marine organisms, on or within 500 yards below the Chickahominy Dam at Walker's, other than with rod and line or hand line [28.2-311].
- It is unlawful to set, place or fish a gill net, fish pot or eel pot in an area extending 250 yards from either span of the Chesapeake Bay Bridge Tunnel [4 VAC 20-80-30].

### **Gear Marking and Reporting Requirements**

Buoys of any crab pot, eel pot, gill net or ordinary crab trotline, and an offshore stake of any crab trap, used for recreational purposes, shall be marked legibly with the licensee's last 4 numbers of his/her social security number or driver's license number, preceded with the letter "R"; these figures must be at least 1 inch in height. [4 VAC 20-670-40]. Any person catching finfish or shellfish using a recreational gillnet, cast net, dip net, crab pot, crab trap, crab trotline, eel pot, or any other recreational license established by Regulation 4-VAC-20-670 must report annually on forms provided by the Commission: the weight and species harvested, location of harvest, days fished and amount of gear used [4 VAC 20-670-50].

### **Size/Catch Restrictions**

- Minimum size limits: 5 inches for male hard crabs (jimmies) and immature female hard crabs, 3 ¼ inches for peeler crabs caught from March 17 through July 15 and 3 ½ inches from July 16 until November 15 in the Chesapeake Bay and its tributaries; 3 ¼ inches for peeler crabs caught on the seaside of the Eastern Shore; and 3 1/2 inches for softshell crabs measured from tip to tip of the longest spikes. No size limits exist for adult female hard crabs (sooks) [Code 28.2-708, Regulation 4 VAC 20-270-55].
- Dark sponge (brown through black coloration) crabs must be returned to the water alive and not altered or destroyed in any manner during the period of March 17 thru July 15; however, a tolerance of 10 dark sponge crabs per bushel is allowed [4 VAC 20-370-20].
- It is unlawful for any person fishing with recreational hook & line, rod & reel, spear, gig or other recreational gear to possess more than 50 eels [4 VAC 20-500-55].
- Any person licensed to use a recreational crab trotline license (300' maximum) or a recreational crab pound/trap is limited to one bushel of hard crabs and two dozen peeler crabs in any one day for personal use [4 VAC 20-670-25].
- For finfish size, season and possession limits (rules described above may supercede limits described for recreational hook & line fishing) call (757) 247-2200.
- **It is unlawful to take any female crab from Virginia tidal waters from October 27 through November 30. [4 VAC 20-270-40 ET SEQ].**

### **Definitions:**

**"Jimmy"** means a male hard crab with a narrow apron on the abdomen.

**"Sook"** means a mature female hard crab with a semicircular apron.

**"She-crab"** means an immature female hard crab with a triangular apron.

**"Sponge crab"** means an adult female hard crab which has extruded her eggs on the abdomen or abdominal flap. The egg mass or **"Sponge"** may contain about 2 million eggs.

**"Peeler crab"** means any crab with a soft shell fully developed under the hard shell. A white, pink, or red line on the outer section of the "backfin" is an indicator.

**"Backfin"** means the last leg of the crab, flattened to aid in swimming. Also known as the swimmer or paddle fin.

**"Buster"** means a crab that has begun to back out of its old shell.

**"Softshell crab"** means a crab which has recently emerged from its old shell. The new shell is soft and tender.

**"Papershell"** means a softshell crab whose shell has begun to harden. The shell stiffens and becomes tougher - usually within 12 hours after shedding the old shell.

**"Doubler"** means a male crab carrying a female crab prior to or after mating. Usually the females are peelers or softshells.

All information provided above is summarized from the Code of Virginia and VMRC Regulations. Please refer to the Code sections and Regulations cited for legal documentation. All regulations are subject to change.

Call (757) 247-2200 for the most current regulations.

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